

IN THE CLAIMS:

Please cancel claims 1-56, 58, and 63-70, without prejudice to filing one or more divisional applications. Please amend claims 57 and 61 as shown below.

Claims 1-56 (Cancelled).

57. (Currently amended) A fertile, transgenic plant, the ~~[genetic complement]~~ genome of which has been altered through the addition of a functional genetic element comprising a gene that encodes a CryET29 crystal protein or peptide comprising SEQ ID NO: 2, wherein said gene confers upon said plant a phenotypic trait that is not found in the parentage of said plant.
58. (Cancelled).
59. (Original) Cells obtained from the transgenic plant of claim 57.
60. (Original) Progeny of the plant of claim 57.
61. (Currently amended) Seeds from the progeny of claim ~~[59]~~ 60.
62. (Original) The transgenic plant of claim 57, wherein said functional genetic element comprises a promoter and 3' region operatively linked to said gene.

Claims 63-70 (Cancelled).